

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**DEE FORTKAMP, CHARLYNN)
HAMILTON, JAMES HOWARD,)
JIMMIE HOWARD, DEAN)
HOWARD, and FRANCIS)
PERLINGER,)**

Plaintiffs,

v.

**E. I. DUPONT DE NEMOURS AND)
COMPANY, PIONEER HI-BRED)
INTERNATIONAL, and)
MONSANTO COMPANY,)**

Defendants.

7:05CV5015

ORDER

The parties have filed a joint motion (#20) for enlargement of time to comply with the court's requirements that out-of-state counsel seek admission to membership in the bar of the U.S. District Court for the District of Nebraska and register for the court's CM/ECF System because the defendants' unopposed motion to transfer the case to the Eastern District of Missouri remains pending.

Although it hardly seems unreasonable or oppressive to require attorneys who file cases in this district to gain admittance to practice and follow the local rules of court, I find that this motion should be granted on the conditions that (a) local counsel serve all documents, notices of electronic filing, and the like to all co-counsel of record who do not register for the CM/ECF System and (b) local counsel assume full authority to act for and on behalf of the clients in all matters while this case remains pending in the District of Nebraska. *See* NEGenR 1.7(i).

IT IS ORDERED that the motion (#20) is conditionally granted, as follows:

1. The obligation of the following attorneys to (a) register for the CM/ECF System, (b) to register for admittance to practice in the District of Nebraska, and (c) to pay the annual assessment is hereby suspended until **fifteen (15) days** after the court rules on the pending Motion to Transfer:

Judith Bernstein-Gaeta
Anthony Franze
Robert Weiner
Arnold, Porter Law Firm - Washington
555 12th Street, N.W.
Washington, DC 20004-1202

Michael S. Farkas
Diogenes P. Kekatos
Stephen A. Weiss
Seeger, Weiss Law Firm
One William Street
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James P. Denvir
Scott E. Gant
Amy J. Mauser
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Jennifer Sclar
David A.P. Brower
Milberg, Weiss Law Firm - New York
One Pennsylvania Plaza, 49th Floor
New York, NY 10119-0165

Adam J. Levitt
Wolf, Haldenstein Law Firm - Illinois
55 West Monroe Street, Suite 1111
Chicago, IL 60603

If the case is transferred to another district or remanded to state court, the attorneys will not be required to register.

2. Local Counsel, i.e., **William R. Johnson, V. Gene Summerlin, Jr., and Martin J. Troshynski**, shall serve all documents, notices of electronic filing, and the like to all co-counsel of record who do not register for the CM/ECF System. **The Clerk of the Court shall not be required or expected to mail any notice copies to counsel who fail to register for the CM/ECF System.**

3. Local Counsel, i.e., **William R. Johnson, V. Gene Summerlin, Jr., and Martin J. Troshynski**, are deemed to have assumed full authority to act for and on behalf of their clients in all matters while this case remains pending in the District of Nebraska.

DATED August 10, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge